

REMARKS

Claims 1-19 are currently pending in the application. This Response addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C § 103(a)

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Turner (U.S. Patent 6,738,373). This rejection is respectfully traversed.

Regarding independent method claim 1, Examiner alleges that although Turner discloses a WCD that can monitor only the first communication system without teaching discontinuing monitoring the first communication system that supports voice service and low-speed data service, and monitoring only the second communication system by the HAT, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the HAT monitoring the second communication system.

Applicant notes that Turner merely discloses that the WCD monitors both a paging channel of the first network and a paging channel of the second network in the dormant state, and then the WCD monitors only the different network (Col. 2, lines 42-45) paging channel, i.e. IS-2000 1x, when a dormancy-timer expires. Turner fails to disclose monitoring only the second communication system when transitioning from the first communication system, i.e. IS-2000 1x, to the second communication system, i.e. 1xEV-DO. In fact, Turner simultaneously operates the second communication system when performing high-speed data communication, while

continuously operating and monitoring the first communication system, even though the first communication system may not be in service. Turner acknowledges that simultaneous operation on both the first and second communication systems has an impact on standby time (See Col. 8; Line 28-32). However, instead of operating only the communication system that is in service in order to conserve power, Turner limits the amount of time the WCD spends performing simultaneous slotted operation. Specifically, Turner conserves power by periodically performing slotted operation on the first communication system while operating the second communication system instead of discontinuing monitoring the first communication system and monitoring only the second communication system (See Col. 8; Line 38-40). If it were obvious to one skilled in the art that the second communication system could be operated while discontinuing monitoring of the first communication system, Turner seemingly would have discontinued monitoring the first communication to conserve power rather than expend power to periodically monitor the first communication system. Thus, Turner teaches away from Applicant's claimed step of discontinuing monitoring the first communication system and monitoring only the second communication system by the HAT for decreasing power consumption by the HAT to provide a more power efficient mobile terminal.

In view of the above argument, Turner does not teach, show, suggest, or render obvious the claimed step of discontinuing monitoring the first communication system, and monitoring only the second communication system by the HAT and reconsideration and withdrawal of the rejection are respectfully requested.

With regards to claims 2-9, Applicant notes that each ultimately depends from claim 1, which defines over the prior art as discussed in detail above. Therefore, claims 2-9 also define over the prior art and reconsider and withdrawal of the rejections are respectfully requested.

Claim 10 similarly recites the feature of monitoring only the second communication system when transitioning from the first communication system, i.e. IS-2000 1x, to the second communication system, i.e. 1xEV-DO. The Examiner asserts his rejection according to the same reason as discussed above with respect to claim 1. Applicant respectfully requests Examiner to reconsider and withdraw the rejection of claim 10, as well as dependent claim 11, which incorporates the limitations of base claim 10, in view of the arguments stated in detail above.

Regarding independent method claims 12, Applicant claims a step of wrapping the signaling message in a signaling message format of the second communication system and transmitting the wrapped signaling message to the HAT by the second communication system.

The Examiner alleges that claim 12 is rejected for the same reasons as discussed above with respect to claim 1; however, we disagree. Turner selectively initiates a first communication system that supports voice service and low-speed data service in response to receiving a voice and/or low speed data session and initiates a second communication system that supports high speed data service in response to receiving a corresponding high-speed data packet. However, signaling messages are not wrapped and transmitted to the HAT while the second channel is transmitting data packets.

In view of the argument above, Turner does not teach, show, suggest or render obvious the claimed step of wrapping the signaling message in a signaling message format of the second communication system and transmitting the wrapped signaling message to the HAT by the second communication system. Therefore, Applicant respectfully requests Examiner to reconsider and withdraw the rejection of claim 12, as well as dependent claims 13-15, which incorporate the limitations of base claim 12 in view of the argument above.

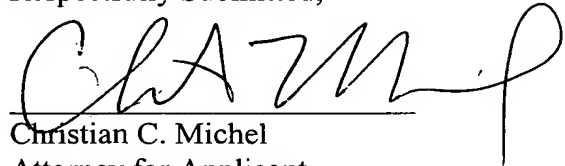
Claim 16 recites a similar step of receiving from the second communication system a signaling message of the first communication system which is wrapped in a signaling message format of the second communication system. As stated above, Turner does not teach, show, suggest, or render obvious receiving from the second communication system a signaling message of the first communication system which is wrapped in a signaling message format of the second communication system. Therefore, Applicant respectfully requests Examiner to reconsider and withdraw the rejection of claim 16, as well as dependent claims 17-19, which incorporate the limitations of base claim 16, in view of the argument above.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Therefore,

prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'C. Michel', is written over a horizontal line.

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Dated: February 13, 2008